

REMARKS**I. Amendments to the Specification****First Paragraph**

The first paragraph has been amended to include the full priority information of the instant application pursuant to 37 C.F.R. § 1.78(a)(2) and thus is not new matter.

II. Amendments to the Claims

A Preliminary Amendment was filed February 27, 2006 in this application. In view of the inadvertent mistake of the filed specification not including the entirety of the '462 specification and the substitute specification filed herewith, support for the claims added in the Preliminary Amendment filed February 27, 2006 is provided once again.

Claims 1-57 are pending. Claims 1, 6, 10 and 15 were amended in the February 27, 2006 Preliminary Amendment to recite that the pharmaceutically active amphetamine base salts comprise dextroamphetamine sulfate, dextroamphetamine saccharate, amphetamine aspartate monohydrate and amphetamine sulfate. Support for this amendment can be found in the marked-up substitute specification at page 4, lines 21-23.

New claims 19-57 were added in the February 27, 2006 Preliminary Amendment. Support for claims 19-57 based on the substitute specification is as follows.

Support for claim 19 can be found in the marked-up substitute specification at, for example, page 4, lines 21-23; page 5, lines 13-14; page 6, lines 7 and 9-13; page 7, lines 1-2; page 8, lines 18-

22; page 9, lines 6-7; page 15, line 20 through page 16, line 21; page 17, line 3; Examples 1-3 and 5; and Figures 4-6. Support for claims 21, 22, 27, 44, 45, 54, and 55 can be found in the marked-up substitute specification at, for example, page 5, line 20 to page 6, line 3; page 11, lines 20-22; page 12, line 19 through page 13, line 8; and page 13, lines 13-15. Support for claims 23-26 can be found in the marked-up substitute specification at, for example, page 7, line 25 through page 8, line 9; page 8, lines 16-22; page 9, lines 3-7; and page 13, lines 12-14. Support for claims 34 and 35 can be found in the marked-up substitute specification at, for example, page 7, line 14 to page 8, line 2 and page 8, lines 20-22. Support for claims 40 and 56 can be found in the marked-up substitute specification at, for example, page 6, lines 17-18. Support for claims 41 and 57 can be found in the marked-up substitute specification at, for example, page 5, lines 17-19 and throughout the specification.

Support for claim 42 can be found in the marked-up substitute specification at, for example, page 13, lines 18-19 and the support for claim 19, given above, and claim 20, given below. Support for claim 43 can be found in the marked-up substitute specification at, for example, page 17, lines 5-8 and Figures 7 and 8. Support for claim 53 can be found in the marked-up substitute specification at, for example, page 14, lines 10-13; page 18, lines 11-13; page 18, lines 4-6; page 20, line 1, Figures 5 and 6; and the support given for claims 34 and 42, given above. Support for claims 33 and 52 can be found in the marked-up substitute specification at, for example, page 5, lines 5-8 and throughout the specification where the amphetamine salts may be mixtures.

Support for claims 20, 28-32, 36-39, and 46-51 is found in the specification at Figures 7 and 8. Conventional values of area under the curve (AUC), maximum plasma concentration (C_{\max}), and the time to achieve C_{\max} , *i.e.*, T_{\max} , are taken directly from these figures (*see* '300 patent

Amendment after Final Rejection, filed April 21, 2003 after which a Notice of Allowance followed; a copy of the Amendment after Final Rejection is attached with the concurrently filed Supplemental IDS). Approximate AUC values were obtained by conventional paper weighing techniques and C_{\max} and T_{\max} were obtained by visual curve reading. The term "about" has its usual meaning in the field, *e.g.*, roughly $\pm 20\%$, for example as used by FDA in its determinations of bioequivalency. As stated in the Amendment after Final Rejection, filed April 21, 2003, the values from Figures 7 and 8 are d-amphetamine levels to one of ordinary skill in the art, and the mixture of amphetamine salts ("MAS" (page 17, line 12 of the marked-up substitute specification)) used in the examples are the "mixture of four amphetamine salts" in ADDERALL[®] (page 4, lines 21-23 of the marked-up substitute specification) where the relative salt content of ADDERALL[®] is known. (See the PDR excerpt and the Wan *et al.* (incorrectly identified as Suc *et al.*) plasma curves, both already of record in the '300 patent file wrapper.)

CONCLUSION

No new subject matter has been added as a result of the amendments. Entry of the amendments prior to consideration of the application on the merits is respectfully requested.

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